

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, referring to the last paragraph on page 6 of the Office Action (final rejection) mailed October 20, 2006, claim 1 has been amended to change “or” at the end of paragraph (B) to --and--.

In the Response to Arguments section of the Office Action, the Examiner states that Applicants’ argument that the prior art does not disclose adjustment of the solid content of the slurry is not relevant because the claims do not require a step of adjustment. However, the claims do require:

(A) the solid content of the slurry is 20 vol % or less and an average particle size of the powder or the composite mixture is 0.04 μm or less,

(B) the solid content of the slurry is larger than 20 vol % and 40 vol % or less and an average particle size of the powder or the composite mixture is larger than 0.04 μm and 0.4 μm or less, and

(C) the solid content of the slurry is larger than 40 vol % and 50 vol % or less and an average particle size of the powder or the composite mixture is larger than 0.4 μm and less than 1 μm ,

and there is no disclosure or suggestion of these features of the present invention in the applied prior art references.

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over the applied references.

The rejection of claims 1 and 13 under 35 U.S.C. §101, as well as the corresponding rejection of these claims under the first paragraph of 35 U.S.C. §112, are respectfully traversed.

In the Response to Arguments section of the Office Action, with respect to these rejections, the Examiner takes the position that Applicants’ arguments are not convincing because this essentially contradicts the “only possible” admission by Applicants. However, Applicants’ “only possible” comment was directed to the ceramics of **Topchiaschvili et al.**, which are not the same as the ceramics employed in the presently claimed invention. Applicants’ statement that orientation of the Topchiaschvili et al. ceramic particles in a magnetic field is only possible because the Topchiaschvili et al. ceramics have magnetic susceptibilities which render them susceptible to magnetic orientation, is certainly not an admission that the

present invention, **which uses ceramics that are different from the Topchiaschvili et al. ceramics**, is inoperative, or not enabled by the specification. The present invention is effective to orient the ceramics in a magnetic field of 1T or more, even though the magnetic susceptibilities of these ceramics has been previously disregarded by the prior art, because of the parameters in paragraphs (A), (B) and (C) in claim 1, showing the relationship between the solid content of the slurry and the average particle size of the ceramic powder or composite mixture. This is supported by the attachments to Applicants' Amendment filed July 28, 2006.

The rejection of claims 1 and 13 under the first paragraph of 35 U.S.C. §112, for failure to include an "adjustment" step, is respectfully traversed.

When Applicants previously referred to "adjust the solid content of the slurry in proportion to the particle diameter used" (Supplemental Response filed August 30, 2006), they were referring to the claim language in paragraphs (A), (B) and (C) in claim 1. These are characteristics of the slurry, and specifically, the relationship between the solid content of the slurry and the average particle size of the powder or the composite mixture. Certainly, if the slurry does not satisfy these characteristics, it would be necessary to adjust the solid content of the slurry so that it does satisfy these characteristics, before carrying out the claimed method. But the way claim 1 is worded is such that the slurry already satisfies characteristics (A), (B) and (C), so there is no need for an "adjustment step".

In the first full paragraph on page 6 of the Office Action, the Examiner acknowledges Applicants' previous reference to the disclosure on page 14 of the specification which indicates that an oriented sintered product was obtained, but the Examiner notes that Applicants did not point to specific line numbers on page 14, so the Examiner is uncertain as to whether he is considering the correct portion. The disclosure that Applicants were referring to is at lines 9-13 on page 14 of the specification, which in referring to Fig. 3, states that it was confirmed that the oriented sintered product was obtained.

With regard to the relevance of the previously filed Declaration, questioned by the Examiner on page 6 of the Office Action, as noted on page 6 of the Amendment filed July 28, 2006, the Declaration was submitted to substantiate the results on the "attached sheet" which was previously submitted with the Amendment filed March 8, 2006. The Declaration thus shows that in the usual colloid process of alumina (Wei et al.) with a solid phase density of 45%, significant particle orientation cannot be achieved in a magnetic field of 10T; whereas the desired

orientation can be achieved if the slurry satisfies the requirements of the presently claimed invention.

Therefore, in view of the foregoing amendment and remarks, it is submitted that the present application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "Michael R. Davis", is written over a horizontal line.

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